

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KIMBERLY MILLS, L.P.N., REINSTATEMENT APPLICANT
License No.: 0002-063654

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on October 27, 2014, in Henrico County, Virginia, to receive and act upon Kimberly Mills’ application for reinstatement of her license to practice practical nursing in Virginia and inquire into allegations that grounds may exist to deny said application. Ms. Mills was present and was not represented counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Kimberly Mills was issued License No. 0002-063654 to practice practical nursing in the Commonwealth of Virginia on May 28, 2002. By Order entered September 30, 2008, the Board indefinitely suspended said license. Ms. Mills’ primary state of residence is Virginia.
2. Ms. Mills submitted an application for reinstatement of her license to practice practical nursing which was received by the Board on March 24, 2014.
3. By letter dated October 1, 2014, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Mills notifying her that an informal conference would be held on October 27, 2014. The Notice was sent by certified and first class mail to 413 Broadway Avenue, Oak Hill, West Virginia, 25901, the address of record on file with the Board of Nursing.

4. Ms. Mills completed 12 -16 hours of CEU's in Advanced Cardiovascular Life Support in February 2014, and 12- 16 hours of CEU's in Pediatric Advance Life Support in March, 2014.

5. Ms. Mills graduated from Carver Career and Technical Education Center's Respiratory Therapy program in May, 2014. She received random drug screens while at the Carver Career and Technical Education Center.

6. Ms. Mills has two convictions for misdemeanor offenses, both of which are considered crimes of moral turpitude:

a. Ms. Mills was convicted of one count of passing a bad check, larceny, in the Henry County, Virginia, General District Court on March 3, 2008. Ms. Mills was sentenced to 30 days in jail with 30 days suspended for a period of 12 months. She was ordered to pay \$55.00 in restitution and a \$100.00 fine.

b. Ms. Mills was convicted of one count of embezzlement in the Albemarle County, Virginia, General District Court on July 28, 2011. She was sentenced to 180 days in jail with 160 days suspended for a period of two years. Ms. Mills was ordered to pay \$400.00 in restitution to Pizza Hut.

7. Ms. Mills was convicted of one count of driving under the influence of alcohol on June 19, 2008, in the Roanoke County, Virginia, General District Court. Ms. Mills was sentenced to 90 days in jail with 90 days suspended and she was placed on probation, ordered to complete VASAP and ordered to pay a \$500.00 fine, of which \$250.00 was suspended. On June 17, 2009, her probation was extended for an additional 12 months for her to successfully complete VASAP.

8. On March 10, 2008, Ms. Mills was admitted to the Lewis Gale Medical Center, Center for Behavioral Health, Salem, Virginia, pursuant to a temporary detention order. She was admitted due to suicidal ideations and depression; at the time of her admission she tested positive for cocaine. Ms. Mills was discharged from Lewis Gale Medical Center on March 17, 2008, with a diagnosis of alcohol/cocaine

dependence, depressive disorder and sleep disorder. At the informal conference she indicated she sought help voluntarily at Martinsville Hospital before she was sent to Lewis Gale Medical Center.

9. Ms. Mills' license to practice as a practical nurse was summarily suspended by Order of the Board ("Board's Order") entered on July 2, 2008 due to substance abuse and/or mental illness. The Board's Order was sent by certified mail to her address of record with the Board of Nursing and was signed for by her father on July 5, 2008. Ms. Mills continued to work as a practical nurse at Lewis Gale Medical Center until August 5, 2008. Ms. Mills was terminated from Lewis Gale Medical Center on August 11, 2008, for practicing on a suspended license. At the informal conference Ms. Mills indicated she called her employer as soon as she found out her license was suspended.

10. Ms. Mills has not received counseling since her court ordered probation expired and she is not currently prescribed any medications.

11. Ms. Mills indicated she has been alcohol and drug free for over three years. She has had weekly drug screens since July 2014 while employed with IHOP.

CONCLUSIONS OF LAW

1. Finding of Fact No. 6 constitutes a violation of §54.1-3007(4) of the Code.
2. Findings of Fact Nos. 7 and 8 constitute a violation of §54.1-3007(6) of the Code.
3. The Committee concludes that Kimberly Mills otherwise meets the requirements of §54.1-3020 of the Code.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

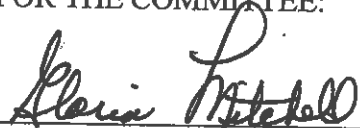
1. The license of Kimberly Mills, L.P.N. is hereby REINSTATED without restriction.

2. Ms. Mills shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying on request.

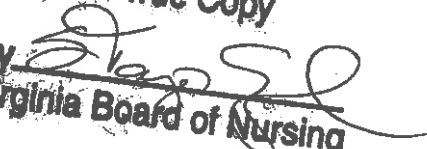
Pursuant to Section 54.1-2400(10) of the Code, Ms. Mills may, not later than 5:00 p.m., on December 24, 2014, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:


for Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing

ENTERED: November 24, 2014

This Order shall become final on December 27, 2014, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing